

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Mark Variano
DOCKET NO.: 03-30665.001-R-2
PARCEL NO.: 14-33-130-007-0000
TOWNSHIP: North

The parties of record before the Property Tax Appeal Board (PTAB) are Mark Variano the appellant, by attorney Robert S. Vihon of Worssek & Vihon, P.C. of Chicago and the Cook County Board of Review.

The above Docket was heard in conjunction with Docket Nos. 04-28004.001-R-2 and 05-25438.001-R-2 for the same property.

The subject property consists of an 82-year-old, renovated, three-story single-family dwelling of masonry construction containing 3,971 square feet of living area and located in North Township, Cook County. The residence contains three and one half bathrooms, no basement, air conditioning, three fireplaces and a two-car garage.

The appellant's attorney appeared before the PTAB and submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered 17 suggested comparable properties located within a quarter mile of the subject. These properties consist of two or three-story single-family dwellings of frame, masonry or frame and masonry construction and range in age from 47 to 125 years. The comparables contain between 2,374 and 4,731 square feet of living area and have improvement assessments ranging from \$73,131 to \$141,064 or from \$23.02 to \$33.63 per square foot of living area. The appellant disclosed the subject was purchased in October of 1999 for \$2,279,847. The appellant submitted sales data for some of the comparables which occurred between 1997 and 2002 for prices ranging from \$1,181,250 to \$1,812,000. Based on this evidence, the appellant requested a reduction in the subject's assessment.

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 19,880
IMPR. \$210,120
TOTAL: \$230,000

Subject only to the State multiplier as applicable.

PTAB/TMcG.

The board did not submit its "Board of Review Notes on Appeal" for Docket 03-30665.001-R-2. The board did submit sales data for the 2004 and 2005 dockets but without analysis and a supported conclusion of value. The board's evidence disclosed the subject was purchased in October of 1999 for \$2,279,847. Based on this evidence the board requested confirmation of the subject's triennial assessment.

After hearing the testimony and considering the evidence, the PTAB finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the PTAB finds the appellant has overcome this burden.

The PTAB finds ten of the appellant's 17 properties are similar to the subject in location, living area, construction, age and most are renovated properties. These properties have improvement assessments ranging from \$23.02 to \$33.63 per square foot of living area. The subject's per square foot improvement assessment of \$63.52 is above this range of properties. The PTAB finds the subject superior to the comparables due to sales data. After considering the subject's purchase price of \$2,279,847 and the differences in the suggested comparables when compared to the subject property, the PTAB finds the evidence submitted is sufficient to effect a change in the subject's assessment.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 1, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.